

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

STEVEN STEGMANN, individually and)	
on behalf of all others similarly situated,)	
)	Case No. 1:22-cv-01179
Plaintiff,)	
v.)	Hon. Gary S. Feinerman
)	
PETSMART LLC,)	
)	
Defendant.)	

**DEFENDANT PETSMART LLC’S MOTION TO
STAY PROCEEDINGS**

Defendant PetSmart LLC (“PetSmart”) respectfully moves this Court for the entry of an Order staying proceedings in this action pending the Illinois Supreme Court’s decision *Cothron v. White Castle System, Inc.*, No. 128004. PetSmart is submitting herewith a Memorandum in support of this Motion.

PetSmart also has filed a motion to dismiss Plaintiff’s claims under Rule 12(b)(6), on the ground that Plaintiff has not plausibly alleged that PetSmart captured or collected Plaintiff’s “biometric identifier” or “biometric information.” PetSmart respectfully suggests that it may be appropriate to stay proceedings in this action after the Court has ruled on PetSmart’s dispositive motion, given the potential for that motion to resolve this action.

WHEREFORE, for all of the reasons set forth in its supporting Memorandum, Defendant PetSmart LLC respectfully requests that the Court grant this Motion and enter an Order staying these proceedings until the Illinois Supreme Court issues its decision in *Cothron* and providing for such other and further relief as is just and appropriate.

Dated: April 21, 2022

Respectfully submitted,

PETSMART LLC

By: /s/ David C. Layden

One of its attorneys

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CERTIFICATE OF SERVICE

I certify that on April 21, 2022, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system, which will then send a Notice of Electronic Filing to all counsel of record.

/s/ David C. Layden